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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

MONTANA ENVIRONMENTAL
INFORMATION CENTER, *et al.*,

Plaintiffs,

vs.

DEB HAALAND *et al.*,¹

Defendants.

Case No. 1:19-cv-00130-SPW-TJC

**PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

¹ Pursuant to Federal Rule of Civil Procedure 25(d), Secretary Haaland is automatically substituted for her predecessor, Scott de la Vega.

Pursuant to Federal Rule of Civil Procedure 56(a), Plaintiffs Montana Environmental Information Center, Indian People's Action, 350 Montana, Sierra Club, and WildEarth Guardians (together, "Conservation Groups") move for summary judgment on all claims in their Fourth Amended Complaint (Doc. 98). This motion is supported by Conservation Groups' accompanying brief and attached declarations of Derf Johnson, Steve Gilbert, Michaelynn Hawk, Jeremy Nichols, John Woodland, Brian Moench, M.D., and James Hansen, Ph.D.

This Court should enter summary judgment for Conservation Groups because there is no genuine dispute as to any material facts and Conservation Groups are entitled to judgment as a matter of law. Fed. R. Civ. P. 56(a). For relief, this Court should vacate the approval of the Area F expansion of the Rosebud Mine.

Respectfully submitted this 3rd day of May, 2021.

/s/ Shiloh Hernandez
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